

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MISAEEL BENITEZ,

Defendant.

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No. 4:06cr274 SNL

ORDER

This is before the Court on Defendant Misael Benitez's pretrial motion to suppress evidence and statements (#22), filed May 17, 2006. United States Magistrate Judge Audrey G. Fleissig issued a Report and Recommendation on July 10, 2006, and Benitez filed his objection to said report on July 21, 2006. Upon review, the Court agrees with Judge Fleissig's conclusions.

Accordingly,

IT IS HEREBY ORDERED that United States Magistrate Judge Audrey G. Fleissig's Report and Recommendation (#28) is **SUSTAINED, ADOPTED** and **INCORPORATED** herein.

IT IS FURTHER ORDERED that Defendant's Motion to Suppress Physical Evidence (#22) be **DENIED**.

Dated this 24th day of July, 2006.



SENIOR UNITED STATES DISTRICT JUDGE